

IN THE CIRCUIT COURT OF SIMPSON COUNTY, MISSISSIPPI

MILDRED SHOWS

VERSUS

CAUSE NO. 2015-245

FOCUS RECEIVABLES MANAGEMENT,LLC

CLERK'S CERTIFICATE

I, Steve Womack, Clerk of the Circuit Court in and for the County of Simpson, State of Mississippi, do hereby certify that the foregoing ~~12~~ pages are true and correct copies of Cause # 2015-245-MILDRED SHOWS Vs. FOCUS RECEIVABLES MANAGEMENT,LLC

Given under my hand and official seal of office in the City of Mendenhall, Simpson County, Mississippi, on this the 21st day of October 2015.



Steve Womack  
STEVE WOMACK, CLERK OF THE  
CIRCUIT COURT, SIMPSON CO., MS

Shirane Berry  
DEPUTY CLERK

**WLF**

**WARE LAW FIRM, PLLC**

September 29, 2015

Simpson County Circuit Clerk  
PO Box 307  
Mendenhall, MS 39114

**RE: Shows vs. Focus Receivables Management, LLC**  
2015-245

Dear Clerk,

Regarding the above referenced matter, enclosed for filing please find the original and one (1) copy of the Proof of Service. Please file the original, stamp the copy "filed" and return in the self-addressed envelope provided for your convenience.

If you have any questions, please contact my office. Thank you for your time and assistance in this matter.

Sincerely,



Daniel D. Ware  
Enclosures:

DDW/jmi

**FILED**

**OCT 02 2015**

**SIMPSON COUNTY  
CIRCUIT COURT**

**Daniel D. Ware**  
Attorney-at-Law

dware@warelawfirm.com  
www.warelawfirm.com

2609 US Highway 49 South • Florence, Mississippi 39073  
601-845-WARE (9273) • Facsimile 601-845-0749

## FEE BILL, CIVIL CASES, CIRCUIT COURT

State of Mississippi  
Simpson County

MILDRED SHOWS VS FOCUS RECEIVABLES

Case #	2015-245	Acct #	Paid By	CHECK 7039	Rct#	681
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		CLERK FEE		85.00		
		JURY TAX		3.00		
		COURT REPORTER		10.00		
		LAW LIBRARY		2.50		
		COURT EDUCATION		2.00		
		COURT CONSTITUENTS		.50		
		COURT ADMINISTRATOR		2.00		
		COMPREHEN COURT FUND		10.00		
		LEGAL ASSIST FUND		5.00		
		JUDICIAL SYS OP FUND		40.00		
		DEPT OF ARCHIVES		1.00		
				=====		
Total				\$ 161.00		
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Payment received from WARE LAW FIRM

Transaction 14265 Received 9/16/2015 at 14:21 Drawer 1 I.D. SB

Current Balance Due \$0.00 Receipt Amount \$ 161.00

By \_\_\_\_\_ D.C. Steve Womack, Circuit Clerk

Case #	2015-245	Acct #	Paid By	CHECK 7039	Rct#	681
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**IN THE CIRCUIT COURT OF SIMPSON COUNTY, MISSISSIPPI**

**MILDRED SHOWS**

**PLAINTIFF**

**VS.**

**CAUSE NO. 2015-245**

**FOCUS RECEIVABLES MANAGEMENT, LLC**

**DEFENDANT**

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**COMPLAINT**  
**(Jury trial is hereby requested)**

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COMES NOW, Plaintiff, Mildred Shows, by and through counsel, and files this, her Complaint, against the Defendant, Focus Receivables Managment, LLC, and will show the following unto the Court, to-wit:

1. That Plaintiff is an adult resident citizen of Simpson County, Mississippi.
2. That based upon information and belief Focus Receivables Management, LLC is a foreign Limited Liability Company, operating and doing business in the State of Mississippi and may be served with process by serving its registered agent, CT Corporation System, 1201 Peachtree Street, NE, Suite 1240, Atlanta, GA 30361.
3. That this Court has jurisdiction and venue over this matter.

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**FACTS**

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4. On or about the beginning of June 2015, Plaintiff began receiving phone calls to her home phone from an unknown name.

**FILED**

**SEP 15 2015**

**SIMPSON COUNTY  
CIRCUIT COURT**



5. When Plaintiff would take the call, an automated message was played stating that she owed a debt and to contact Defendant immediately.
6. There was no way to opt out of receiving these calls or return the call to speak to a representative.
7. These calls kept coming in sometimes more than two (2) or more times a day.
8. Plaintiff attempted to call back to request that the phone calls cease; however, she never could speak to an individual.
9. Plaintiff has continued to receive these annoying calls on her phone.
10. Plaintiff knows of no debt that she owes anyone.
11. These phone calls continue as of the time of the filing of this suit.
12. That due to the actions and/or omissions of the Defendant, Plaintiff felt aggrieved, violated, taken advantage of, and her private personal life was invaded.
13. That due to the actions and/or omissions of the Defendant, Plaintiff sustained an invasion of privacy, economic loss, emotional distress and mental anguish.

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**COUNT I NEGLIGENCE AND/OR GROSS NEGLIGENCE**

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14. Plaintiff herein incorporates the preceding paragraphs as if alleged fully herein.

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SEP 15 2015  
SIMPSON COUNTY  
CIRCUIT COURT

15. The aforementioned acts and/or omissions and the hereinbelow mentioned acts and/or omissions of the said Defendants were negligent, grossly negligent and/or intentional, extreme and outrageous and, as a direct and/or proximate cause and/or result of same, Plaintiff has suffered damages and injuries as hereinbelow mentioned.
16. That due to the negligent actions and/or omissions of the Defendant were of a wanton and reckless disregard of the Plaintiff's rights by failing to cease communications and continuing the nuisance calls repeatedly to his phone.
17. That the Defendant owed the Plaintiff a duty to honor her privacy. The Defendant breached this duty.

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**COUNT II INVASION OF PRIVACY**

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18. Plaintiff herein incorporates the preceding paragraphs as if alleged fully herein.
19. Plaintiff had no contract with the Defendant nor conducted any business with the defendant.
20. The actions and/or omissions of the Defendant caused a breach of good faith and fair dealing owed to Plaintiff by allowing her privacy to be invaded, and the annoying calls to continue thus caused her to suffer emotional distress, mental anguish and economic loss.

**FILED**  
**SEP 15 2015**  
**SIMPSON COUNTY**  
**CIRCUIT COURT**

21. Defendant intentionally and knowingly intruded upon the solitude and/or seclusion of the Plaintiff by continuing to contact by after having requested to stop such contact with him.

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**COUNT IV EMOTIONAL DISTRESS & MENTAL ANGUISH**

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22. Plaintiff herein incorporates the preceding paragraphs as if alleged fully herein.
23. That as a direct and proximate cause, the negligent actions and/or omissions of the Defendant caused the Plaintiff's privacy to be invaded, broke the duty of good faith and fair dealing the Plaintiff had with the Defendant, interfered with her regular conduction of business, all which caused her emotional distress, mental anguish and economic loss, all of which she is entitled to recover.

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**COUNT V NEGLIGENT VIOLATION OF THE TELEPHONE  
CONSUMER PROTECTION ACT 47 U.S.C. § 227 *ET SEQ.***

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24. Plaintiff herein incorporates the preceding paragraphs as if alleged fully herein.
25. The foregoing acts and omission of Defendant constitute numerous and multiple negligent violation of the TCPA, including but not limited to each and every one of the above-cited provisions of 47 U.S.C. § 227 *et. seq.*

**FILED**

**SEP 15 2015**

**SIMPSON COUNTY  
CIRCUIT COURT**

26. As a result of Defendant's negligent violations of 47 U.S.C. § 227, *et. seq.*, Plaintiff is entitled to an award of \$500.00 in statutory damages, for each and every violation.

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**COUNT VI KNOWING AND/OR WILLFUL VIOLATIONS OF THE  
TELEPHONE CONSUMER PROTECTION ACT 47 U.S.C. § 227 ET. SEQ.**

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27. Plaintiff herein incorporates the preceding paragraphs as if alleged fully herein.
28. The foregoing acts and omission of Defendant constitute numerous and multiple knowing and/or willful violations of the Telephone Consumer Protection Act.
29. As a result of Defendant's knowing and/or willful violations of 47 U.S.C. § 227 *et. seq.*, Plaintiff is entitled to statutory damages of \$500.00, and an award of statutory trebled damages in the amount of \$1,500.00 for each of Defendant's knowing and/or willful violations of the TCPA for each and every violation.
30. Plaintiff is entitled to and seeks injunctive relief prohibiting such conduct in the future.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Mildred Shows, demands judgment of and from the Defendant for actual/compensatory damages and punitive damages, with pre-judgment and post-judgment interests, with all costs assessed to the Defendant, in an amount deemed proper by a jury.

Respectfully submitted,

Mildred Shows, Plaintiff

**FILED**  
SEP 15 2015  
SIMPSON COUNTY  
CIRCUIT COURT



By:



DANIEL D. WARE, Her Attorney

**Daniel D. Ware (MSB 10,847)**

WARE LAW FIRM, PLLC

2609 US Highway 49 South

Florence, Mississippi 39073

(601) 845-9273

[dware@warelawfirm.com](mailto:dware@warelawfirm.com)

**FILED**

**SEP 15 2015**

**SIMPSON COUNTY  
CIRCUIT COURT**

IN THE CIRCUIT COURT OF SIMPSON COUNTY, MISSISSIPPI

MILDRED SHOWS

PLAINTIFF

VS.

CAUSE NO. 2015-245

FOCUS RECEIVABLES MANAGEMENT, LLC

DEFENDANT

**SUMMONS**

THE STATE OF MISSISSIPPI

**TO:** Focus Receivables Management, LLC  
Agent: CT Corporation System, 1201 Peachtree Street, NE, Suite 1240, Atlanta,  
GA 30361

**NOTICE TO DEFENDANT**

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND  
YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the  
Complaint to **WARE LAW FIRM, PLLC**, Daniel D. Ware, Attorney for Plaintiff,  
whose mailing address is 2609 US Highway 49 South, Florence, Mississippi  
39073. Your response must be mailed or delivered within thirty (30) days from  
the date of delivery of this Summons and Complaint or a Judgment by Default  
will be entered against you for the money or things demanded in the Complaint.

YOU MUST ALSO FILE THE ORIGINAL OF YOUR RESPONSE WITH THE CLERK OF  
THIS COURT WITHIN A REASONABLE TIME AFTERWARD.

ISSUED UNDER MY HAND AND THE SEAL OF SAID COURT, THIS 15<sup>th</sup> DAY  
OF Sept, 2015.



Stene Womack  
CIRCUIT CLERK OF SIMPSON COUNTY

Barbara Sullivan D.C.

IN THE CIRCUIT COURT OF SIMPSON COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT, CITY OF \_\_\_\_\_

Docket No. \_\_\_\_\_ - \_\_\_\_\_  
File Yr Chronological No. Clerk's Local ID  
Docket No. If Filed  
Prior to 1/1/94 \_\_\_\_\_

**PLAINTIFFS IN REFERENCED CAUSE - Page 1 of \_\_\_\_ Plaintiffs Pages  
IN ADDITION TO PLAINTIFF SHOWN ON CIVIL CASE FILING FORM COVER SHEET**

**Plaintiff #2:**

**Individual:** \_\_\_\_\_  
Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of \_\_\_\_\_

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A \_\_\_\_\_

**Business** \_\_\_\_\_  
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

\_\_\_\_ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A \_\_\_\_\_

ATTORNEY FOR THIS PLAINTIFF: 10847 Bar # or Name: \_\_\_\_\_ Pro Hac Vice (✓) \_\_\_\_ Not an Attorney(✓) \_\_\_\_

**Plaintiff #3:**

**Individual:** \_\_\_\_\_  
Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of \_\_\_\_\_

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A \_\_\_\_\_

**Business** \_\_\_\_\_  
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

\_\_\_\_ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A \_\_\_\_\_

ATTORNEY FOR THIS PLAINTIFF: 10847 Bar # or Name: \_\_\_\_\_ Pro Hac Vice (✓) \_\_\_\_ Not an Attorney(✓) \_\_\_\_

**Plaintiff #4:**

**Individual:** \_\_\_\_\_  
Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of \_\_\_\_\_

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A \_\_\_\_\_

**Business** \_\_\_\_\_  
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

\_\_\_\_ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A \_\_\_\_\_

ATTORNEY FOR THIS PLAINTIFF: \_\_\_\_\_ Bar # or Name: \_\_\_\_\_ Pro Hac Vice (✓) \_\_\_\_ Not an Attorney(✓) \_\_\_\_



IN THE CIRCUIT COURT OF SIMPSON COUNTY, MISSISSIPPI

MILDRED SHOWS

PLAINTIFF

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ISSUED UNDER MY HAND AND THE SEAL OF SAID COURT, THIS 15<sup>th</sup> DAY  
OF Sept, 2015.



Steve Womack  
CIRCUIT CLERK OF SIMPSON COUNTY

Barbara Sullivan D.C.

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SIMPSON COUNTY  
CIRCUIT COURT



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<input checked="" type="checkbox"/> Complete items 1, 2, and 3. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: CT Corporation 1201 Peachtree St NE Ste 1240 Atlanta GA 30361		B. Received by (Printed Name) <i>[Signature]</i> C. Date of Delivery <i>9-2-15</i> D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label) 7015 1660 0000 8498 5426		3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Mail <input type="checkbox"/> Mail Restricted Delivery (500) <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	
PS Form 3811, April 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®	
ATLANTA GA 30361	
Certified Mail Fee \$ <b>3.45</b> Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ <b>2.80</b> <input type="checkbox"/> Return Receipt (electronic) \$ <b>0.00</b> <input type="checkbox"/> Certified Mail Restricted Delivery \$ <b>0.00</b> <input type="checkbox"/> Adult Signature Required \$ <b>N/A</b> <input type="checkbox"/> Adult Signature Restricted Delivery \$ <b>N/A</b>	0173 04 Postmark Here 09/16/2015 1105
Postage \$ <b>1.42</b> Total Postage and Fees \$ <b>7.67</b>	
Sent To <i>CT Corp</i> Street and Apt. No., or PO Box No. City, State, ZIP+4® <i>Atlanta GA 30361</i>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

OCT 20 2015  
SIMPSON COUNTY  
CIRCUIT COURT